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ATTORNEYS FOR ALL PLAINTIFFS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JANE ROE, an individual; MARY ROE,
an individual; SUSAN ROE, an
individual; JOHN ROE, an individual;
BARBARA ROE, an individual;
PHOENIX HOTEL SF, LLC, a
California limited liability company;
FUNKY FUN, LLC, a California limited
liability company; and 2930 EL
CAMINO, LLC, a California limited
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity,

Defendants.

Case No. 3:24-cv-01562-DMR

**PLAINTIFF'S APPLICATION FOR
AN ORDER GRANTING
PERMISSION TO USE THE
PSEUDONYM "SUSAN ROE" IN
PUBLICLY FILED PLEADINGS**

1 Plaintiff submits this application with her Complaint and applies for an order
2 granting her permission to use the pseudonym “SUSAN ROE” in all publicly filed
3 pleadings on the ground that this is needed to protect her safety.

4 Plaintiff complains of and seeks redress to stop the gang-related drug dealing
5 and related criminal activities that happen around her home in the Tenderloin
6 district of San Francisco. Public disclosure of her name could expose her to physical
7 retaliation by those involved in the illegal narcotics trade. Plaintiff agrees that her
8 name and relevant information can be disclosed to defendant City and County of San
9 Francisco, subject to an appropriate protective order.

10 A party may preserve his or her anonymity in judicial proceedings in special
11 circumstances when the party’s need for anonymity outweighs prejudice to the
12 opposing party and the public’s interest in knowing the party’s identity. (*Does I thru*
13 *XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1068 (9th Cir. 2000).) Federal courts
14 have allowed plaintiffs to use pseudonyms for various reasons, including when
15 “identification creates a risk of retaliatory physical or mental harm.” (*Id.*) When a
16 pseudonym is sought to shield a party from retaliation, courts evaluate (1) the
17 severity of the harm, (2) the reasonableness of the anonymous party’s fears, and (3)
18 the anonymous party’s vulnerability to such retaliation. (*Ibid.*)

19 In this case, plaintiff alleges that her neighborhood has been treated as a
20 “containment zone” for illegal narcotics activities, including drug sales made by gang
21 members who resort to violence, including murder, to protect their markets. She
22 seeks injunctive relief that would curb or stop these illegal activities. Plaintiff must
23 pass by drug dealers, gang members and drug users when coming to or leaving her
24 home. Thus, the public identification of plaintiff, *e.g.*, revealing her name or precise
25 address in court filings, would put her at risk of being hurt or killed in retaliation by
26 persons involved in the illegal narcotics trade in the Tenderloin. Plaintiff’s fears in
27 this regard are reasonable. Finally, plaintiff lives in the neighborhood and is thus
28 vulnerable to such retaliation.

1 The public's interest in knowing plaintiff's name is low. Any prejudice to
2 defendant City and County of San Francisco is eliminated by an appropriate
3 protective order that will allow the plaintiff to reveal and disclose her true name and
4 other identifying information, facts, and documents.

5 Thus, good cause exists for the Court to grant this application.

6 Respectfully submitted.

7 Dated: March 14, 2024

WALKUP, MELODIA, KELLY & SCHOENBERGER

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9 By: /S/ Matthew D. Davis

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